

IN THE CLAIMS

1. (currently amended) An apparatus for bringing baseplates of an artificial intervertebral disc substantially parallel to one another in an intervertebral space, the apparatus comprising:

at least one shaft having a distal end and a longitudinal axis; and

at least two tines extending parallel to one another from the shaft distal end in a same direction as that of the longitudinal axis, the at least two tines forming a central pocket forward of the shaft distal end between the at least two tines, the at least two tines having a top surface and a bottom surface;

wherein the disc comprises at least two baseplates coupled to one another by a central coupling between the baseplates, which coupling permits the baseplates to articulate relative to one another, including articulating such that the baseplates are substantially non-parallel to one another and including articulating such that the baseplates are substantially parallel to one another, the baseplates being separated from one another by a separation space volume when the baseplates are substantially parallel; and

wherein the tines are spaced and sized to be insertable and fittable between the baseplates and to substantially fill at least a height of the separation space volume at an area of the insertion when so fitted, wherein the central coupling is located between the at least two tines during the insertion and when so fitted, such that when the baseplates are substantially non-parallel to one another in the intervertebral space, insertion of the tines into the intervertebral space between the baseplates forces the baseplates into a substantially parallel orientation relative to

one another as the top surface of the at least two tines contacts an inwardly facing surface of one of the at least two baseplates and the bottom surface of the at least two tines contacts an inwardly facing surface of the other of the at least two baseplates.

2. (original) An apparatus according to claim 1, wherein at least one of the baseplates has at least one spike, and wherein bringing the baseplates into a substantially parallel orientation relative to one another includes securing a purchase of at least one of the spikes to at least one vertebral bone.

3. (original) An apparatus according to claim 1, further comprising a handle coupled to the shaft; wherein applying pressure to the handle in a distal direction aids insertion of the tines between the baseplates in the intervertebral space; and

wherein applying pressure to the handle in a proximal direction aids extraction of the tines from between the baseplates out from the intervertebral space.

4. (original) An apparatus according to claim 1, further comprising at least one vertebral body stop that prevents over-insertion of the tines into the intervertebral space.

5. (original) An apparatus according to claim 1, wherein a distal end of at least one of the tines is tapered to ease insertion of the at least one of the tines between the baseplates.

6. (original) An apparatus according to claim 1, wherein at least one contact surface of at least one of the tines contacts a corresponding surface of the disc during the insertion or fitting, which contact surface is shaped to conform to the corresponding surface of the disc.

7. (original) An apparatus according to claim 6, wherein the corresponding surface of the disc has a curved contour and the contact surface has a contour substantially following the curved contour.

8. (currently amended) An apparatus according to claim 6, wherein the inwardly facing surface of an upper baseplate of the disc has a flat lower surface, the inwardly facing surface of a lower baseplate of the disc has a curved upper surface, and each of the tines has a flat upper contact surface and a curved lower contact surface, such that when the tines are fitted between the baseplates, the flat upper contact surfaces of the tines are flush against the flat lower surface of the inwardly facing surface o of the upper baseplate of the disc, and the curved lower contact surfaces of the tines are flush against the curved upper surface of the inwardly facing surface of the lower baseplate of the disc.

9-12. (canceled)

13. (previously presented) An apparatus according to claim 1, wherein the central coupling comprises a ball and socket structure.

14. (previously presented) An apparatus according to claim 13, wherein the ball and socket structure comprises a post projecting from an inner surface of a first one of the at least two baseplates and a ball having a blind opening that is adapted to receive the post.

15. (previously presented) An apparatus according to claim 14, wherein the ball and socket structure comprises a socket

formed in an inner surface of a second one of the at least two baseplates.

16. (previously presented) An apparatus according to claim 1, wherein the central coupling consists of a single coupling that interconnects the at least two baseplates.

17. (currently amended) A system for inserting an artificial intervertebral disc into an intervertebral space comprising:

first and second baseplates coupled together by a central coupling extending between said baseplates, wherein said central coupling is centrally located between said baseplates and enables said baseplates to rotate and articulate relative to one another, the baseplates being separated from one another by a separation space volume when the baseplates are substantially parallel;

an insertion tool including a shaft having a proximal end, a distal end, a longitudinal axis extending between the proximal and distal ends, and a pair of tines extending from the distal end of said shaft, said pair of tines forming a central pocket forward of said shaft distal end between said pair of tines, wherein said tines extend along axes that are parallel to one another, the at least two tines having a top surface and a bottom surface;

wherein said pair of tines are spaced and sized for insertion between said first and second baseplates such that said central coupling is located between said pair of tines so that when said baseplates are substantially non-parallel to one another, insertion of said tines between said baseplates forces said baseplates into a substantially parallel orientation relative to one another as the top surface of the at least two

tines contacts an inwardly facing surface of one of the at least two baseplates and the bottom surface of the at least two tines contacts an inwardly facing surface of the other of the at least two baseplates, the tines being spaced and sized to be insertable and fittable between the baseplates and to substantially fill at least a height of the separation space volume at an area of the insertion when so fitted.

18. (previously presented) The system as claimed in claim 17, wherein said insertion tool comprises at least one vertebral body stop that prevents over-insertion of said tines into the intervertebral space.

19. (previously presented) The system as claimed 17, wherein at least one contact surface of at least one of said tines contacts a corresponding surface of one of said baseplates during insertion, and wherein the at least one contact surface has a shape that conforms to a shape of the corresponding surface of one of said baseplates.

20. (currently amended) The system as claimed in claim 17, wherein said inwardly facing surface of said first baseplate has a flat inner-surface and said inwardly facing surface of said second baseplate has a curved inner-surface that confronts the flat inner surface of said first baseplate, and wherein each of said tines has a flat upper surface adapted to engage the flat inner-surface of said inwardly facing surface of said first baseplate and a curved lower surface adapted to engage the curved inner-surface of said inwardly facing surface of said second baseplate.

21. (previously presented) The system as claimed in claim 17, wherein said central coupling comprises a ball and socket structure.

22. (previously presented) The system as claimed in claim 21, wherein said ball and socket structure comprises a post projecting from an inner surface of said first baseplate and a ball having a blind opening that is adapted to receive said post.

23. (previously presented) The system as claimed in claim 22, wherein said ball and socket structure comprises a socket formed in an inner surface of said second baseplate.

24. (previously presented) The system as claimed in claim 17, wherein said central coupling consists of a single coupling that interconnects said first and second baseplates.